

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

SIMON GOGOLACK,

Defendant.

23-CR-99-JLS-JJM

NOTICE OF MOTION

MOTION BY:

Jeffrey T. Bagley, Assistant Federal Public
Defender

DATE, TIME & PLACE:

Before the Honorable Jeremiah J. McCarthy, United
States Magistrate Judge, Robert H. Jackson United
States Courthouse, 2 Niagara Square, Buffalo, New
York, **on the papers submitted.**

SUPPORTING PAPERS:

Affirmation of Assistant Federal Public Defender
Jeffrey T. Bagley, dated January 26, 2024

RELIEF REQUESTED:

One-week Adjournment of Submission Deadline.

DATED:

Buffalo, New York, January 26, 2024

/s/ Jeffrey T. Bagley

Jeffrey T. Bagley
Assistant Federal Public Defender
Federal Public Defender's Office
300 Pearl Street, Suite 200
Buffalo, New York 14202
(716) 551-3341, (716) 551-3346 (Fax)
jeffrey_bagley@fd.org
Counsel for Defendant

TO: Nicholas Cooper
Assistant United States Attorney
Western District of New York
138 Delaware Avenue, Federal Centre
Buffalo, New York 14202

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AFFIRMATION

SIMON GOGOLACK,

Defendant.

JEFFREY T. BAGLEY, affirms under penalty of perjury that:

1. I am an Assistant Federal Public Defender for the Western District of New York and was assigned to represent the above-named defendant, Simon Gogolack.

2. At Mr. Gogolack's recent arraignment, I requested a renewed detention hearing.

3. This Court set a deadline of today for the filing of a written submission as to why such a hearing should be held. The government was to respond by January 30, 2024. A hearing, if any, was set for Wednesday, January 31, 2024.

4. I have recently become unwell and have not been able to complete that submission.

5. Although I expect I could complete the submission by early next week, that would not provide sufficient time for the government to respond in advance of the tentative hearing.

6. I further expect to make several discovery requests. I will be asking that those documents be provided in advance of the hearing.

7. Accordingly, I request a one-week adjournment of the submission deadline. I have no objection to the government's time to respond being extended similarly.

8. Assistant U.S. Attorney Nicholas Cooper has indicated that the government has no objection to this request.

WHEREFORE, it is respectfully requested that the submission deadline be adjourned one week.

DATED: Buffalo, New York, January 26, 2024

Respectfully submitted,

/s/ Jeffrey T. Bagley

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